INTERFERENCE INITIAL MEMORANDUM

Count # 1

To the Board of Patent Appeals and Interferences: An interference is proposed involving the following 2 parties

PARTY Boucher, et al.	APPLICATION NO. 09/692,561	FILING DATE 18 October 2000	PATENT	PATENT NO., IF ANY ISSUE DATE, IF A		JE DATE, IF ANY		
If the involved case is a patent, have its maintenance fees been paid? Yes No Not due yet								
	Proposed priority bene	efit (list all intervening applica	ations neces	ssary for continuity)):	·		
COUNTRY	APPLICATION NO.	FILING DATE	PATENT NO., IF ANY ISS			JE DATE, IF ANY		
US	09/067,544	27 April 1998	6,226,680 01 N			lay 2001		
US	60061809	14 October 1997	·					
		·				·		
		·						
The claim(s) of this party	corresponding to this count:							
PATENTED OR PATENT 41-43,48 and 49	UNPATENTABLE PENDING CLAIMS							
The claim(s) of this party	NOT corresponding to this co	unt:				•		
PATENTED OR PATEN 44-47	UNPATENTABLE PENDING CLAIMS							
PARTY Connery, et al.	APPLICATION NO. 09/071,692	FILING DATE 01 May 1998				ISSUE DATE, IF ANY 12 June 2001		
If the involved case is a patent, have its maintenance fees been paid? ✓ Yes ✓ Not due yet								
	Proposed priority bene	efit (list all intervening application	ations neces	ssary for continuity)):			
COUNTRY APPLICATION NO. FILING DATE				PATENT NO., IF ANY ISSUE DATE, IF ANY				
			-					
The claim(s) of this party	corresponding to this count:							
PATENTED OR PATEN 1-3,8 and 9	UNPATENTABLE PENDING CLAIMS							
The claim(s) of this party NOT corresponding to this count:								
PATENTED OR PATEN 4-7 and 10-20	UNPATENTABLE PENDING CLAIMS							
(Check off each step, if applicable) INSTRUCTIONS								
 □ I. Obtain all files listed above. □ Confirm that the proposed involved claims are still active and all corrections and entered amendments have been considered. The patents must not be expired for, among other things, failure to pay a maintenance fee (Check PALM screen 2970). □ 3. If one of the involved files is a published application or a patent, check for compliance with 35 U.S.C. 135(b). □ 4. Obtain a certified copy of any foreign benefit documents where necessary (37 CFR 1.55(a)). □ 5. Discuss the proposed interference with an Interference Practice Specialist in your Technology Center. 								
			ART UNIT 2457	NIT TELEPHONE NO. 571-272-4005				
DATE	INTERFERENCE PRACTICE SPECIALIST or TECHNOLOGY CENTER DIRECTOR (signature) /Daniel Ryman/ TELEPHONE NO.							

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To the Board of Patent Appeals and Interferences: An interference is proposed involving the following 2 parties

PARTY Boucher, et al.	APPLICATION NO. 09/692,561	FILING DATE 18 October 2000	PATENT	Γ NO., IF ANY	ISSUE DATE, IF ANY			
If the involved case is a patent, have its maintenance fees been paid? Yes No Not due yet								
	Proposed priority bene	fit (list all intervening applica	itions nece	ssary for continuity)	:			
COUNTRY	APPLICATION NO.	FILING DATE	PATENT	ΓNO., IF ANY	ISSUE DATE, IF ANY			
US	09/067,544	27 April 1998	6,226,68	0	01 May 2001			
US	60061809	14 October 1997						
The claim(s) of this party of	corresponding to this count:							
PATENTED OR PATENT	TABLE PENDING CLAIMS		UNPATI	INPATENTABLE PENDING CLAIMS				
The claim(s) of this party ?	NOT corresponding to this co	unt:						
PATENTED OR PATENTABLE PENDING CLAIMS 41-43 and 45-49				UNPATENTABLE PENDING CLAIMS				
PARTY Connery, et al.	APPLICATION NO. 09/071,692	FILING DATE 01 May 1998	PATENT 6,246,68	r no., if any 3	ISSUE DATE, IF ANY 12 June 2001			
If the involved case is a patent, have its maintenance fees been paid? ✓ Yes ✓ No ✓ Not due yet								
	Proposed priority bene	fit (list all intervening applica	tions nece	ssary for continuity)	:			
COUNTRY APPLICATION NO. FILING DATE			PATENT	ΓNO., IF ANY	ISSUE DATE, IF ANY			
	corresponding to this count:		T					
PATENTED OR PATENT 4	FABLE PENDING CLAIMS	UNPATI	UNPATENTABLE PENDING CLAIMS					
The claim(s) of this party NOT corresponding to this count:								
PATENTED OR PATENTABLE PENDING CLAIMS 1-3 and 5-20 UNPATENTABLE PENDING CLAIMS								
(Check off each step, if applicable) INSTRUCTIONS								
 □ 1. Obtain all files listed above. □ 2. Confirm that the proposed involved claims are still active and all corrections and entered amendments have been considered. The patents must not be expired for, among other things; failure to pay a maintenance fee (Check PALM screen 2970). □ 3. If one of the involved files is a published application or a patent, check for compliance with 35 U.S.C. 135(b). □ 4. Obtain a certified copy of any foreign benefit documents where necessary (37 CFR 1.55(a)). □ 5. Discuss the proposed interference with an Interference Practice Specialist in your Technology Center. 								
DATE 08 September 2010		PRIMARY EXAMINER (Signature) /Moustafa M Meky/ ART UNIT 2457			TELEPHONE NO. 571-272-4005			
DATE INTERFERENCE PRACTICE SPECIALIST or TECHNOLOGY CENTER DIRECTOR (signature) Donal Name TELEPHONE NO.								

INTERFERENCE INITIAL MEMORANDUM

Count # <u>3</u>

To the Board of Patent Appeals and Interferences:

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PARTY Boucher, et al.	APPLICATION NO. 09/692,561	FILING DATE 18 October 2000	PATENT	Γ NO., IF ANY	ISSU	E DATE, IF ANY		
If the involved case is a patent, have its maintenance fees been paid? Yes No Not due yet								
Proposed priority benefit (list all intervening applications necessary for continuity):								
COUNTRY	APPLICATION NO.	FILING DATE	PATENT NO., IF ANY ISS			E DATE, IF ANY		
US	09/067,544	27 April 1998	6,226,680			ay 2001		
US	60061809	14 October 1997						
The claim(s) of this party	corresponding to this count:	<u> </u>						
PATENTED OR PATENT 45-47	NG CL	AIMS						
The claim(s) of this party	NOT corresponding to this co	unt:						
PATENTED OR PATENT 41-44,48 and 49	UNPATENTABLE PENDING CLAIMS							
PARTY Connery, et al.	APPLICATION NO. 09/071,692	FILING DATE 01 May 1998	PATENT 6,246,68	r no., if any 3		E DATE, IF ANY ne 2001		
If the involved case is a patent, have its maintenance fees been paid? ☑ Yes ☐ No ☐ Not due yet								
Proposed priority benefit (list all intervening applications necessary for continuity):								
COUNTRY	COUNTRY APPLICATION NO. FILING DATE PATENT NO., IF ANY				ISSUE DATE, IF ANY			
	,							
						·		
````````````	corresponding to this count:		I D ID A TO	CAUCADI E DEAUND	VIC CI	A IN AC		
PATENTED OR PATENTABLE PENDING CLAIMS 5-7 UNPATENTABLE PENDING CLAIMS								
The claim(s) of this party NOT corresponding to this count:								
PATENTED OR PATENT 1-4 and 8-20	UNPATENTABLE PENDING CLAIMS							
(Check off each step, if applicable) INSTRUCTIONS								
 1. Obtain all files listed above. 2. Confirm that the proposed involved claims are still active and all corrections and entered amendments have been considered. The patents 								
must not be expired for, among other things, failure to pay a maintenance fee (Check PALM screen 2970).								
 3. If one of the involved files is a published application or a patent, check for compliance with 35 U.S.C. 135(b). 4. Obtain a certified copy of any foreign benefit documents where necessary (37 CFR 1.55(a)). 								
5. Discuss the proposed interference with an Interference Practice Specialist in your Technology Center.								
DATE 08 September 2010	PRIMARY EXAMIN /Moustafa M Meky		ART UNIT 2457			TELEPHONE NO. 571-272-4005		
DATE		INTERFERENCE PRACTICE SPECIALIST or TECHNOLOGY CENTER DIRECTOR (signature) /Daniel Ryman/ TELEPHONE NO.				TELEPHONE NO.		

Application/Control Number: 09/692,561

Art Unit: 2457

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The examiner notes that the requirements of 35 U.S.C. 135(b) have been met by filling a preliminary amendment on 6/12/2002. This filing was lost, however, it was resubmitted on 6/19/2008.

/Daniel J. Ryman/

Supervisory Patent Examiner, Art Unit 2466